

Remarks

Claims 1-20 are pending in the application. All claims stand rejected. By this paper, claims 1, 12, and 16 have been amended. Reconsideration of all pending claims herein is respectfully requested.

Claims 16-20 were rejected under 35 U.S.C. 112, second paragraph, due to a lack of antecedent basis for the phrase, "the participant terminal." Claim 16 has been amended to provide a proper antecedent basis for the phrase in claims 16-20.

Claims 1-20 were rejected under 35 U.S.C. 102(e) as being anticipated by Yoshinobu. Claims 4, 6, 8, and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshinobu in view of Walker et al. ("Walker"). Claims 7, 14, and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshinobu and Walker, and further in view of Omoigui.

Claim 1 has been amended to more particularly point out and distinctly claim what the applicant regards as his invention. As amended, claim 1 recites a method comprising:

for each participant desiring to provide input:

receiving participant input for a show and subsequently disconnecting a communication with the participant that submitted the participant input;

storing the participant input in a storage location;

automatically processing the stored participant input to determine a relationship of the participant input to the show; and

based on the determined relationship, alerting the participant that submitted the participant input if the participant input is selected for the show.

These claimed features eliminate the need for participants of interactive shows, such as "call-in" shows, to stay actively "tuned in" while waiting for their

comments or other input to be addressed by the show. Participants are only connected with the interactive show for a brief time to allow their input to be stored. The stored input is then processed to determine its relationship (e.g., relevance) to the show. For instance, in a call-in show, the participant's input may be scanned to determine whether it relates to the current topic of discussion. If, at some point during the show, the participant's input is deemed relevant or otherwise selected for use in the show, the participant is alerted using a pre-selected method, e.g., a telephone call, voicemail, facsimile, email, instant message, screen alert, etc. The participant may then be re-connected with the interactive show, if necessary, to allow active participation.

Advantageously, these claimed features eliminate waiting time for participants, since they may engage in other activities while their input is being considered for possible use, discussion, etc. Furthermore, the interactive show needs fewer communication lines, since participants are not placed on hold for extended periods of time.

As the Examiner correctly points out, Yoshinobu is directed to a similar problem of overcrowded telephone lines during quiz shows and the like. However, Yoshinobu addresses the problem in an entirely different way than the claimed invention. As explained in the Abstract, Yoshinobu's approach allows "the amount of accesses from the reception side to be controlled with certainty by the broadcasting side." It does so, as noted in the Summary, by preventing calls from being connected. Yoshinobu explains:

With the two-way broadcasting method, only those receiving apparatus [s/c] which do not satisfy the condition provided by the telephone call origination

limiting information are enabled or allowed to access the specified reply destination to transmit reply data there.

Col. 4, lines 12-17.

Subscribers may be excluded from participation by Yoshinobu in various ways. For example, access may be limited to subscribers with a particular "last digit" in their telephone numbers. As explained by Yoshinobu, "[b]y limiting the last digit in this manner, the broadcasting side can perform two-way broadcasting readily while it controls the amount of responses from the subscriber side." Col. 17, lines 42-44.

Yoshinobu contrasts his technique with a prior-art method described in the Background in which subscribers are voluntarily asked to call in only if their telephone numbers have a particular last digit. However, as Yoshinobu admits, such a method "relies upon the good intentions of subscribers, [and] it does not have an absolute effect and does not disable accessing of a subscriber whose telephone number is not permitted for participation." Col. 3, lines 3-6. Yoshinobu's approach is to enforce the above requirement through technology as a means of addressing the problem of telephone overcrowding.

While Yoshinobu's technique is probably effective in reducing the number of calls to the interactive show, it does so at the expense of preventing many people from participating. Yoshinobu's "overkill" approach is precisely what the applicant was trying to avoid with the claimed invention, which collects input from all participants desiring to submit input, regardless of whether their telephone numbers end in a particular digit.

Turning to amended claim 1, Yoshinobu does not, "for each participant desiring to provide input," receive "participant input for a show." Instead, Yoshinobu

prevents many subscribers from submitting input. Thus, they never become "participants" within the meaning of claim 1. As noted above, only those subscribers not excluded by the "telephone call origination limiting information are enabled or allowed to access the specified reply destination to transmit reply data there to transmit reply data there." Col. 4, lines 12-17 (emphasis added). Thus, excluded subscribers are not allowed to even connect, let alone provide input.

Because connection is never established with these non-participants, the system does not "subsequently disconnect[] communication" with them, as required by claim 1. Disconnection after receipt of input implies a connection once existed. However, according to Yoshinobu, such subscribers were never "allowed to access the specified reply destination." Col. 4, lines 12-17.

Likewise, Yoshinobu does not store "for each participants desiring to provide input ... the participant input in a storage location," as recited in claim 1. Yoshinobu does not disclose or suggest storing participant input, such as comments, answers to quizzes, etc., for people excluded from participation because the last digit of their telephone number is not the one selected. Indeed, Yoshinobu teaches away from such a reading by stating that input from such excluded individuals is never transmitted (col. 4, lines 12-17). Hence, it cannot logically be stored.

Furthermore, Yoshinobu does not "automatically process the stored participant input ... from each participant desiring to provide input" to determine the relationship or relevance of the participant input to the show." The individuals whose telephone numbers have the wrong last digit are never allowed to connect to the interactive

show. Accordingly, their input is not received and therefore never analyzed for relevance.

Finally, Yoshinobu does not, "based on the determined relationship, alert[] the participant that submitted the participant input if the participant input is selected for the show," as recited in claim 1. Even if Yoshinobu's connecting a person with the proper last digit to the show can be deemed an "alert," it is not done after determining relationship of the participant input to the show. A subscriber's telephone number cannot fairly be construed as "participant input," since it is selected by the telephone company, not the subscriber. Yoshinobu does not disclose or suggest any other participant input that is evaluated to determine whether an alert should be sent to the participant.

Moreover, the claimed alert is to be received after the disconnection, which occurs after the participant input is received. However, according to the Examiner, Yoshinobu's "alert" is to "notify the participants who are allowed to interact with the show." There has been no "disconnection" at this point. Hence, Yoshinobu's alert is received out of the claimed sequence.

In view of the foregoing, the applicant respectfully submits that claim 1, as amended, is patentably distinct over the cited reference. Yoshinobu's approach is radically different from the claimed invention, excluding certain individuals from participation, while the claimed invention receives and stores input for all participants desiring to submit input. The claimed invention does not attempt to "control with certainty ... accesses from the reception side," as described in Yoshinobu's Abstract.

Claim 5 recites the step of receiving "additional participant input" from the participant "subsequent to alerting the participant." If, as the Examiner suggests, the alert is merely notifying a participant that they will be allowed to participate with the show, then the participant has not yet submitted input. However, claim 5 refers to "additional input," requiring some previous input that was to be received from the participant, which is not disclosed or suggested by Yoshinobu.

The addition of Walker and Omoigui does not cure the deficiencies of Yoshinobu. Walker discloses a database-driven online distributed tournament system. Omoigui merely discloses a technique for notifying clients concerning live electronic presentations that utilizes a text-to-speech mechanism.

Neither Walker nor Omoigui disclose or suggest a system that, for each participant desiring to provide input:

- (1) receives participant input for a show;
- (2) subsequently disconnects a communication with the participant that submitted the participant input;
- (3) stores the participant input in a storage location;
- (4) automatically processes the stored participant input to determine a relationship of the participant input to the show; and
- (5) based on the determined relationship, alerting the participant that submitted the participant input if the participant input is selected for the show.

At best, a combination of Yoshinobu with Walker and Omoigui merely suggests a technique for excluding certain individuals from participating in an online tournament using text-to-speech based on the individual's telephone number.

Claims 2-11 depend directly or indirectly from claim 1 and are likewise believed to be patentably distinct for at least the same reasons. Amended claims 12 and 16, along with their dependent claims, have been amended to include limitations similar to those of claim 1 and are also believed to be patentably distinct. Early allowance of all pending claims herein, i.e., claims 1-20, is respectfully requested.

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